

CITY OF COLTON
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
FOR THE CITY OF COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
CLOSED SESSION MINUTES

July 5, 2016

Closed Session Meeting was held on the above given date at 5:00 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Suchil presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*appeared at 5:12 p.m.*), Jorrin, Navarro, González, Bennett, MPT Suchil, and Mayor DeLaRosa (*appeared at 5:07 p.m.*).

STAFF PRESENT

City Manager Smith, City Attorney Campos, and City Clerk Padilla.

PUBLIC COMMENT

None

CLOSED SESSION

City Attorney Campos announced the City Council would meet in Closed Session to Discuss Item A.

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
Two (2) potential cases

Mayor Pro Tem Suchil adjourned the meeting to Closed Session at 5:01 p.m. and at 6:02 p.m., the meeting reconvened, with all members present except MPT Suchil who participated in full for the Closed Session Agenda.

City Attorney Campos announced that the City Council met in Closed Session and discussed Items A with direction given to staff and no reportable action; announced MPT Suchil excused.

CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF
COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
REGULAR MEETING MINUTES

July 5, 2016

Regular Meeting held on the above-given date at 6:03 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Pastor Dane Aaker – Centerpoint Church

FLAG SALUTE

American Legion Post #155; Member(s) Louie Barrera, and Steve Ferrence

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor
David J. Toro
Summer Jorin
Frank J. Navarro
Dr. Luis S. González
Deirdre H. Bennett

Staff Present

William R. Smith, City Manager
Carlos Campos, City Attorney
Carolina R. Padilla, City Clerk

Council Members Absent

Isaac T. Suchil, Mayor Pro Tem (*excused*)

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation - Parks and Recreation Month/July 2016

Mayor DeLaRosa presented a Proclamation setting July 2016 as Parks and Recreation Month; accepted by Heidi Strutz, Recreation Manager.

- Certificate - Volunteer of the Year

Deb Farrar, Community Services Director, introduced Chairperson Paul Rasso, Recreation and Parks Commission who presented the First Annual Volunteer of the Year to Rita Carter; accepted by Miss Rita Carter. In addition Curt Lewis presented a Certificate of Recognition on behalf of U.S. Representative for California's 31st Congressional District, Pete Aguilar to Miss Rita Carter.

MAYOR AND COUNCIL ITEMS

- Measure D Oversight Committee

Mayor DeLaRosa introduced this item for discussion, direction, and consensus as it relates to the formation of the Measure D Oversight Committee.

At the June 21, 2016 City Council referred the Measure D Oversight Committee to be included on the agenda of the Finance Subcommittee; on June 22, 2016 the Finance Subcommittee met and developed seven (7) recommendations to be presented to the City Council, regarding the constitution of the Measure D Oversight Committee.

The seven recommendations were discuss individually and final consensus are as follows:

1. The Committee should consist of five (5) members.

Discussion and consensus by Councilmembers present to increase the Committee to consist of seven (7) members.

2. The scope of the Committee shall be limited to the implementation of Measure D, and associated budget impacts.

Discussion and consensus by Councilmembers present; in full agreement with the caveat to include input by the Utilities Commission; this will be part of the discussion/review of the Utilities Budget by the Utilities Commission as it relates to the availability of funds for implementation of Measure D.

3. The members of the Committee should serve for the full five (5) year term of Measure D.

Discussion and consensus by Councilmembers present; in full agreement.

4. Community members interested in serving on the Committee should complete and submit a standard City Commissioner Application to the City Clerk's Office to be considered.

Discussion and consensus by Councilmembers present; in full agreement; and extend the notice for acceptance to an additional thirty (30) days; to include an extensive method of informing the public/residents.

5. Applicants who are currently City Commissioners may be considered for appointment to the Committee, however if appointed, the appointee would need to resign his/her position as a City Commissioner.

Discussion and consensus by Councilmembers present; in full agreement.

6. Applications should be considered by the Utilities Commission, which should recommend the five (5) members to be appointed to the City Council for formal appointment.

Discussion and consensus by Councilmembers present to increase the Committee to consist of seven (7) members; strong encouragement to Utilities Commissioners that the makeup of the members of the Committee will represent an overall representation of the City as reflected by place of residence within the City.

7. The Committee shall meet as needed. Staff estimates approximately four (4) meetings per year, although this number is subject to change, as needs emerge.

Discussion and consensus by Councilmembers present; in full agreement.

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JULY 5, 2016.

GIFT DISCLOSURES

Mayor DeLaRosa asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030. None disclosed.

AB 1234 ORAL REPORTS

Mayor DeLaRosa asked the members present if there were any brief reports on meetings attended at the expense of the City. (GC Section 53232.3(d)).

CM González reported attending the Executive Forum Workshop in Monterey, California on June 22, 2016 and June 23, 2016, sponsored by the League of California Cities; several sessions of interest included (1) labor negotiation, and (2) polling and community education; in addition, attended the Advance Leadership Workshop in Monterey, California on June 24, 2016 sponsored by the League of California Cities; the workshop focused on City finances.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for April 2016.

City Treasurer Aurelio De La Torre presented the report for April 2016 for Council consideration and with no objection report was received and filed.

PUBLIC COMMENT

General

The following community members addressed the Council: Curt Lewis, Representative for Congressman Pete Aguilar, and Christine Irish-Ré.

Consent Calendar – Item 4 – Canvass of Election

The following community members addressed the Council: John Anaya.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 10.

Councilmembers present selected items for discussion and clarification by staff: CM Toro, Item 5.

Motion and Second by CM Bennett/CM Navarro to approve the Consent Calendar Items 1 through 10.

Vote: Motion carried with MPT Suchil absent.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held June 21, 2016 on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants U.S. Bank vouchers dated 05/13/2016 for \$29,876.43; voucher numbers 156529 to 156690 dated 06/16/2016 and totaling \$1,872,592.81; voucher numbers 156694 to 156827 dated 06/23/2016 and totaling \$1,034,271.40, less voided checks totaling \$14,737.73 and replaced checks totaling \$4,357.96.
- (3) Second Reading of Ordinance No. O-10A-16 – Waive full reading and pass second reading of Ordinance No. O-10A-16, an ordinance of the City Council of the City of Colton amending section 18.12.060 (Building Projections – R-1 Zone), and section 18.12.170 (Parking Requirements – R-1 Zone), of Title 18 of the Colton Municipal Code (File Index No. DAP-001-287B).
- (4) Canvass of Election – Approve and adopt a Resolution of the City Council reciting the fact of the Special Municipal Election held June 7, 2016, declaring the result and such other matters as provided by law, RESOLUTION NO. R-64-16.
- (5) Chamber of Commerce Agreement – Approve a contractual services agreement with the Colton Chamber of Commerce for the 2016-2017 Fiscal Year.
- (6) Order the Levy for Assessments (James Sullivan District “A”) – 1) Approve the attached resolution authorizing the 2016-2017 annual levy of tax assessments for Improvement District “A” (James Sullivan Mutual Water Company), 2) Approve the attached Auditor- Controller/Tax Collector Agreement for Collection of Special Taxes, Fees, and Assessments for Fiscal Year 2016-2017, 3) The Colton Utility Authority Board review, ratify and to the extent necessary, recommend that the City Council take the above action(s), RESOLUTION NO. R-65-16.
- (7) Award of Contract to Matich Corporation – Authorize the award of the construction contract for the Sycamore Avenue Asphalt Paving Project to Matich Corporation as the lowest responsive and responsible bidder in the amount of \$68,758.04; Authorize the City Manager or his or her designee to approve Change Orders not to exceed 10% of the awarded contract.
- (8) Award of Contract to Hydrotech Electric – Authorize the award of construction contract for the Reche Canyon Booster Station Electrical Upgrade Project to Hydrotech Electric as the lowest responsive and responsible bidder in the amount of \$240,784.00; Authorize the City Manager or his or her designee to approve Change Orders not to exceed 10% of the awarded contract.
- (9) Agreement/Carl Warren & Company – Approve a two year agreement with Carl Warren & company to provide general liability claims administration services.

- (10) Annual Special Tax for CFD – Approve resolutions authorizing the 2016-2017 Annual Special Tax Levy for CFD's 89-1, 89-2 and 90-1, RESOLUTION NOS. R-66-16, R-67-16, R-68-16.

BUSINESS ITEMS

- (11) Purchase and Sale Agreement – 1) Adopt a resolution approving a Purchase Sale Agreement with the County of San Bernardino; and, 2) adopt a resolution approving a Purchase Sale Agreement with Pacific Ocean Drive 3315, LLC; and, Amend the Fiscal Year 2016-2017 Budget expenditures associated with the costs of the transaction, RESOLUTION NOS. R-69-16, R-70-16.

Staff Presentation

Art Morgan, Economic Development Manager, presented for Council consideration and requested approval of staff's recommendation as outlined in the staff report.

Motion and Second by CM Toro/CM Navarro to approve and adopt Resolution Nos. R-69-16, R-70-16.

Vote: Motion carried with MPT Suchil absent.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Council Members made comments on various issues and activities throughout the community.

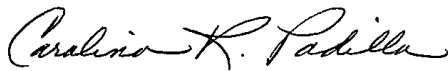
CITY MANAGER'S REPORTS

City Manager Smith reported the Street Sweeping Program is in effect; it is on an experimental basis on certain routes and when finalized the routes will be posted accordingly through out the City.

City Attorney Campos announced out regarding a Closed Session item discussed on the June 21, 2016 Closed Session Agenda; with a six (6) to one (1) vote; with CM González voting NO; a settlement agreement with Largo Concrete, Inc., v. City of Colton, et al.; San Bernardino Superior Court, Case No. CIVDS 1400406 has been executed and is available at the City Clerk's Office.

ADJOURNMENT

At 8:13 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting.



Carolina R. Padilla
City Clerk